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REMARKS

Claims 1-5, 7-9, 11-14, 16, 32-36, and 49 are currently pending in the subject application and are presently under consideration. Applicants' representative thanks the Examiner for courtesies extended during the telephonic interview with Olivia Tsai conducted on April 5, 2006 where it was indicated that claim amendments that describe a surrogate and that describe a pluggable formatter selection from a variety of employed pluggable formatters may produce allowable subject matter.

Claims 1, 5, 11, 32, and 49 have been amended herein. A listing of claims can be found on pages 2-5. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claim 5 under 35 U.S.C. §112, second paragraph

Claim 5 stands rejected under 35 U.S.C. §112, second paragraph. Claim 5 has been amended to cure any perceived issues of indefiniteness and accordingly, this rejection should be withdrawn.

II. Rejection of Claims 1-5, 7-9, 11-14, 16, 32-36, and 49 Under 35 U.S.C. §102(e)

Claims 1-5, 7-9, 11-14, 16, 32-36, and 49 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bahrs *et al.* (US 6,292,933). This rejection should be withdrawn for at least the following reason. Bahrs *et al.* does not describe each and every element of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The invention as claimed relates to a system and method for facilitating employment of a pluggable formatter in a serialization and deserialization process. The pluggable formatter serializes a graph of objects into a data stream and deserializes the

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data stream back into an object graph. (See pg. 2 line 24 – pg. 3, line 7). In particular, amended independent claims 1, 11, 32, and 49 recite a similar limitation: *a surrogate that specifies serialization instructions for all objects of a given type*. Such aspect enables convenient and efficient implementation of rule sets (e.g., for certain types of objects within an object graph) that optionally may be provided by the class author or by a third party surrogate file. Bahrs *et al.* does not disclose this aspect of the invention as claimed.

Bahrs *et al.* involves the serialization and deserialization of data elements. While Bahrs *et al.* discusses a serialization/deserialization process, the cited reference makes no mention of a holistic approach utilizing surrogates for groups of the same type of object.

In addition, amended independent claims 1, 11, 32, and 49 also recite a similar limitation: *the pluggable formatter is selected from a variety of pluggable formatters employed on the system*. Therefore, not only is the format definable for a system, a particular pluggable formatter is chosen from a selection of employed pluggable formatters—allowing for total customization and flexibility. Bahrs *et al.* fails to disclose this aspect of the claimed invention.

Rather, Bahrs *et al.* recognizes that a destination may be remotely located, but does not expressly or inherently describe a pluggable formatter selected from a variety of pluggable formatters employed on the system.

In view of at least the foregoing, it is readily apparent that Bahrs *et al.* does not describe the invention as recited in independent claims 1, 11, 32, and 49 (and associated dependent claims 2-5, 7-9, 12-14, 16, and 33-36). Thus, this rejection should be withdrawn.

III. Rejection of Claims 1-5, 7-9, 11-14, 16, 32-36, and 49 Under 35 U.S.C. §103(a)

Claims 1-5, 7-9, 11-14, 16, 32-36, and 49 stand rejected under 35 U.S.C. §103(a) as being anticipated by Bahrs *et al.*, in view of either Apte (US 6,298,353) or Saulpaugh *et al.* (US 6,609,130). This rejection should be withdrawn for at least the following reason. Bahrs *et al.*, Apte, and Saulpaugh *et al.*, alone or in combination, do not teach or suggest all the limitations of the subject claims.

To reject claims in an application under §103, an examiner

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must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) *must teach or suggest all the claim limitations*. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Amended independent claim 1 (and similarly amended independent claims 11, 32, and 49) recites *a surrogate that specifies serialization instructions for all objects of a given type*. Bahrs *et al.* fails to teach or suggest this aspect, as discussed above. Apte relates to a comparison of compatibility among single serialized classes of objects (See Abstract), but is silent with respect to a surrogate for serialization. Saulpaugh *et al.* involves the assistance of a plug-in module for serialization (See Abstract), and also does not teach or suggest the surrogate aspect, as claimed.

Amended independent claim 1 (as well as similarly amended independent claims 11, 32, and 49) also recites *the pluggable formatter is selected from a variety of pluggable formatters employed on the system*. As noted above, Bahrs *et al.* is silent regarding this aspect. Apte and Saulpaugh *et al.* both focus on objects based on Java—none of the cited references disclose multiple pluggable formatters employed on a system, let alone the selection of one of those formatters.

In view of at least the foregoing, it is readily apparent that Bahrs *et al.*, Apte, and Saulpaugh *et al.*, alone or in combination, do not teach or suggest the invention as recited in independent claims 1, 11, 32, and 49 (and associated dependent claims 2-5, 7-9, 12-14, 16, and 33-36). This rejection should be withdrawn.

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CONCLUSION

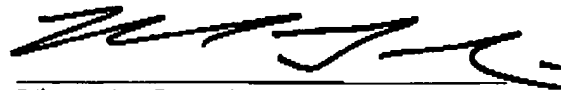
The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP256US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Himanshu S. Amin
Reg. No. 40,894

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731